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09/725,484	11/30/2000	Tomohisa Yamaguchi	2565-0213P	1704

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EXAMINER

MILORD, MARCEAU

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 12/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/725,484

Applicant(s)

YAMAGUCHI, TOMOHISA

Examiner

Marceau Milord

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Chern et al (US Patent No 6456854 B1).

Regarding claim 1, Chern et al discloses a communication system (figs. 1-2) comprising: a cellular phone (100 of fig. 1, 130 or 132 of fig. 2) connected to a controller; and a terminal (136 of fig. 2) connected to the cellular phone through a network (140 of fig. 2), wherein the terminal includes a browser for outputting a request to the controller (col. 3, lines 14-45; col. 7, lines 5-41), and a communication controller in a client side for sending the request to the cellular phone through the network (col. 7, line 44- col. 8, line 42), and wherein the cellular phone includes a communication controller in a server side for receiving the request, and a server for

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operating the controller according to the request (col. 4, lines 19- 65; col. 5, line 9- col. 6, line 66).

Regarding claim 2, Chern et al discloses a communication system (figs. 1-2), wherein the request is to obtain data from the controller, wherein the server obtains the data from the controller, wherein the communication controller in the server side sends the obtained data to the terminal through the network, wherein the communication controller in the client side receives the data, and wherein the browser displays based on the received data (col. 7, line 5- col. 8, line 42).

Regarding claim 3, Chern et al discloses a communication system (figs. 1-2), wherein the controller is an apparatus for controlling a device connected to the controller, and wherein the data are data concerning a condition of the device (col. 3, lines 10-42; col. 6, lines 40-66).

Regarding claim 4, Chern et al discloses a communication system (figs. 1-2), wherein the controller is an apparatus for controlling a device connected to the controller, wherein the request is to control the device (col. 3, lines 10-42; col. 5, lines 49- col. 6, line 28).

Regarding claim 5, Chern et al discloses a communication system (figs. 1-2), wherein the browser is a Web browser, wherein the server includes a Web server (col. 6, lines 11-66).

Regarding claim 6, Chern et al discloses a communication method of a communication system (figs. 1-2) having a cellular phone connected to a controller and a terminal connected to the cellular phone through a network (col. 3, lines 10-42), the method comprising: sending a request for the controller from the terminal to the cellular phone through the network (col. 4, line 23-67); receiving the request by the cellular phone; and operating the controller by the cellular phone according to the request (col. 5, line 49- col. 6, line 66).

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Regarding claim 7, Chern et al discloses a cellular phone, connected to a controller and further connected to a terminal through a network (col. 3, lines 10-42), comprising: a communication controller in a server side for receiving a request for the controller from the terminal through the network; and a server for operating the controller according to the request (col. 6, line 11-66; col. 7, lines 5-60).

Regarding claim 8, Chern et al discloses a communication system (figs. 1-2) comprising: a cellular phone including a controller; and wherein the terminal includes a browser for outputting a request to the controller (col. 3, lines 10-42), and a communication controller in a client side for sending the request to the cellular phone through the network (col. 7, line 44- col. 8, line 42), and wherein the cellular phone includes a communication controller in a server side for receiving the request, and a server for operating the controller according to the request (col. 6, line 11-66; col. 7, lines 5-60).

Regarding claim 9, Chern et al discloses a communication system (figs. 1-2), wherein the request is to obtain data from the controller, (col. 3, lines 10-42), wherein the server obtains the data from the controller, wherein the communication controller in the server side sends the obtained data to the terminal through the network (col. 6, line 11-66; col. 7, lines 5-60), wherein the communication controller in the client side receives the data, and wherein the browser displays based on the received data (col. 7, line 44- col. 8, line 42).

Regarding claim 10, Chern et al discloses a communication system (figs. 1-2), wherein the server further comprises a device controlled by the controller, and wherein the data are data concerning a condition of the device (col. 7, line 5- col. 8, line 42).

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Regarding claim 11, Chern et al discloses a communication system (figs. 1-2), wherein the server further includes a device controlled by the controller, and wherein the request is to control the device (col. 3, lines 10-42; col. 5, lines 49- col. 6, line 28).

Regarding claim 12, Chern et al discloses a communication system (figs. 1-2), wherein the browser is a Web browser, and wherein the server includes a Web server (col. 6, lines 11-66).

Regarding claim 13, Chern et al discloses a communication method of a communication system having a cellular phone including a controller (figs. 1-2) and a terminal connected to the cellular phone through a network, the method comprising: sending a request for the controller from the terminal to the cellular phone through the network(col. 7, line 44- col. 8, line 42); receiving the request by the cellular phone; and operating the controller by the cellular phone according to the request (col. 6, line 11-66; col. 7, lines 5-60).

Regarding claim 14, Chern et al discloses a cellular phone including a controller (figs. 1-2), and connected to a terminal through a network, comprising: a communication controller in a server side for receiving a request for the controller from the terminal through the network (col. 7, line 44- col. 8, line 42); and a server for operating the controller according to the request (col. 6, line 11-66; col. 7, lines 5-60).

Regarding claim 15, Chern et al discloses a cellular phone connected to a server through a network (figs. 1-2), comprising: a browser for the cellular phone for outputting a first request; a communication controller for transmitting the first request; and a server for the cellular phone operating according to the transmitted first request (col. 6, line 11-66; col. 7, lines 5-60), wherein the browser for the cellular phone further outputs a second request, and wherein the

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communication controller further sends the second request to the server through the network(col. 7, line 44- col. 8, line 42).

Regarding claim 16, Chern et al discloses a cellular phone connected to a server through a network (figs. 1-2), wherein the cellular phone connects to a controller for controlling a device, and wherein the first request is to control the device (col. 3, lines 10-42; col. 5, lines 49- col. 6, line 28).

Regarding claim 17, Chern et al discloses a cellular phone connected to a server through a network (figs. 1-2), wherein the cellular phone connects to a controller for controlling a device, and wherein the first request is to obtain data concerning the device (col. 7, line 5- col. 8, line 42).

Regarding claim 18, Chern et al discloses a cellular phone connected to a server through a network (figs. 1-2), comprising a controller for controlling a device, wherein the first request is to control the device (col. 3, lines 10-42; col. 5, lines 49- col. 6, line 28).

Regarding claim 19, Chern et al discloses a cellular phone connected to a server through a network (figs. 1-2), comprising a controller for controlling a device, wherein the request is to obtain data concerning the device (col. 3, lines 10-42; col. 5, lines 49- col. 6, line 28).

Regarding claim 20, Chern et al discloses a communication method of a cellular phone connected to a server through a network (figs. 1-2) having a browser for the cellular phone, a server for the cellular phone and a communication controller, the method comprising: outputting a first request by the browser for the cellular phone; transmitting the first request by the communication controller (col. 6, line 11-66; col. 7, lines 5-60); operating according to the transmitted first request by the server for the cellular phone; outputting a second request by the

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browser for the cellular phone; and sending the second request to the server through the network by the communication controller (col. 7, line 44- col. 8, line 42).

Regarding claim 21, Chern et al discloses a communication system, wherein an electronic mail function is incorporated into a cellular phone, and further the cellular phone is incorporated into or connected to a device for using the cellular phone as a mechanism for communicating between the device and a terminal for managing the device (col. 6, line 11-66; col. 7, lines 5-60), wherein an electronic mail describing contents of an event is sent to the terminal in case that the event occurs in the device (col. 7, line 44- col. 8, line 42).

Regarding claim 22, Chern et al discloses a communication system, wherein a cellular phone is incorporated into or connected to a device for using the cellular phone as a mechanism for communicating between the device and a terminal for managing the device (col. 6, line 11-66; col. 7, lines 5-60), wherein the terminal extracts a location of the device by a function of obtaining location data in a cellular phone system (col. 7, line 44- col. 8, line 42).

Regarding claim 23, Chern et al discloses a communication system (figs. 1-2), wherein a cellular phone is incorporated into or connected to a device for using the cellular phone as a mechanism for communicating between the device and a terminal for controlling the device (col. 6, line 11-66; col. 7, lines 5-60), wherein contents of an event are informed by a telephone function of a cellular (col. 7, line 44- col. 8, line 42).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.



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Twitchell et al US Patent No 6222483 B1 discloses a position locating system and method that are provided for determining a geographic location of a portable remote unit.

Petty et al US Patent No 6337858 B1 discloses a method and apparatus for providing voice communications between two parties using computer controlled telephony hardware which is separate from the PSTN.

Frank US Patent No 6368205 B1 discloses a mobile communication system which includes mobile terminals with a voice mailbox function.

Low US Patent No 6282282 B1 discloses a method for providing telecommunications services.

Zuili et al US Patent No 6145084 discloses a method and apparatus enabling dissimilar devices to exchange information over a computer network.

Low et al US Patent No 6466570 B1 discloses a method for accessing service resource items for use in setting up bearer channels through a switched telecommunications system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 703-306-3023. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

  
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